G R S App F IX 4]

1947 - 48

File No 91—47

Previous Reterences

(2nd)

Serial Nos 31, 32

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos

Tend

Part B for Madurai

SUBJECT

Lease of the Hotel building in Devaraja market mysore —

Contt. no. A 1425-47 dt. 2.3.48

To

Mr B Janardhan
C/o. Exh. Cafe
Irwin Road
Mysore

Informs that Government see no reason to interfere in re

881 Rel Depsnd 1575/W-up

Inl 91-17-31

petition from Mr 13 Gnanadhan C/o Executive Cabe - Irwin Road - Mysore -

bringing to notice certain irregularities in the disposal of the tenders for running the Devaraja Market Restaurant at Mysore

Municipal Market

1) " - please call for a report from the Municipal president " Addl T-C M N 2/8

2) A memo calling for a report from the president - Mysore city Mcl is sent 4/8 M

L 2711 dispatch d 18/8/17 / Memo

To The president M C M calls for a report -

Sms AJ -2

881 S 1615 S

From the President Cantt Mk et Mysore

R.S.C. 491 dt 11-9-47

Furnishes a detailed report on the appeal petition of Mr. B Ganapathiah, re the lease of the Hotel buildings in the Devaraja market Mysore

3) On his petition dated 2-8-47 Mr B Ganapathiah — Irwin Road Mysore has brought to the notice of Govt certain irregularities said to have been committed while disposing of the tenders for the lease of Hotel buildings in the Devaraja Market Mysore

4) On this petition he has urged that

8815 16 15

that the Municipality was not correct in reopening the question of accepting the tenders when the Managing Committee had decided on 20-6-1947 that the tender of the appellant - Mr B Ganapathy for Rs 117- be accepted

P.W.D)

5) Apart this contention, and in support of the action taken, it is submitted that, under 1st T" the condition No.2 of the tender notification, the president is competent to accept or reject the tender, without assigning any reason therefor

6) The present president has submitted that the action taken in referring the matter to the Managing Committee was in the interest of Municipal revenue

OFFICE OF THE ASSTT FOR EDUCATION P
Date 8/9/1
No - 2370/

7) Refer para 1 supra - For perusal of the

1) 7th 2/10/47 R.O.D. 19 Dy Asst is in order

Rev Dept Tuticorin Municipal Commr

10) Off letter returning the
proceedings to the Pres- City Mcl
Inspr

for
4/11/47

11) Send with a draft letter.

12 Asst

for
6/11/47

To
The President - Mun M
Bdore dt 5-11-47
Returning the enclosures
from the President - City Municipal Council Thyagaraja
N.S.C. C 491, dt 5-11-47
Acknowledges the receipt of the
file relating to the Hotel Municipal at
Devarajan Market - Mysore
petition from Mr B Ganandhan -
Contractor - addressed to the Minister for
City Municipalities, protesting against the
acceptance of the tender for running the
Hotel Municipal at Devarajan market in
favour of Mr M Lakshmanachar
13 Municipal Minister

Send p. [illegible]

facts of this SSI S 2542

14) The Case have been explained at Paras 3 to 9 supra

15) The petition will be sent to the President Mysore City Municipality for disposal

16) for orders regarding 13 supra

29/11 Pr 30/11/47

perusal for 1/12/47

17) disposal or report if necessary 2/12/47

18) A memo is accordingly put up

19) Spare

4/12 Pr 5/12/47 L 11534 5 12 47 3/12/47

7/12/47 memo signed

Pets for disposal or report if necessary

Pr 8/12

2584 J 35 78

From the President-city Municipal Council Mysore

R & A 491 dated 15-12-47

Invites reference to his letter dated

Flag 'I' 11-9-1947 - forwarding a detailed report on the appeal petition of Mr B Janardhan re the lease of the Hotel building in the Devaraja Market - Mysore and requests orders thereon

2) The history of the case has been explained at paras 3 to 9 of the notes supra - vide also Flag 2

2) The Municipal president will be informed that in the circumstances referred no action is called for on the appeal petition of Mr B Janardhan, if any.

I agree
8
7/1/48

18/2
8
Pr. 5/1/48
5/1

Rev. sent for 6/1/48

THE MINISTER FOR CITY MUNICIPALITIES AND MUZRAI
No 696
Date 8-1-1948

Minister
C-Rules & Muz

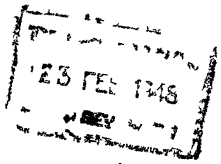
8
7/1/48

The Municipal President, on behalf of the Municipality called for tenders for running a restaurant in Devaraja Market subject to

8/1/48

To certain conditions, one of them being "the final acceptance of the tender will rest with the Municipality but Council, however, who does not bind himself to accept the highest tender or any tender or to assign a reason whatever for the rejection thereof." I therefore see no reason to interfere in the matter. Park may be endorsed to this effect. P.

18/2/48



19/2/48

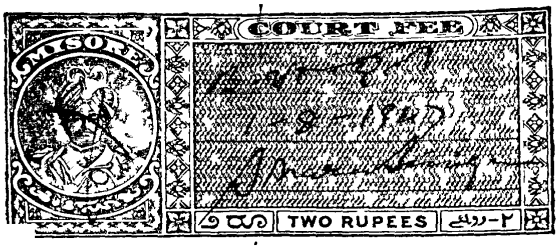
A draft endorsement is sent herewith 18/2/48

20/2/48

An Endorsement to the Party
Copy to the Municipal President, Hyderabad
L 142 S-7-8/2-3-48

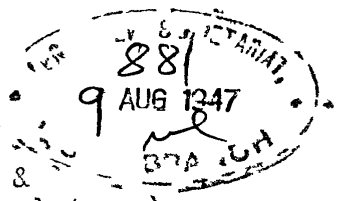
The request of the petitioner is not granted.

B
5-3-48



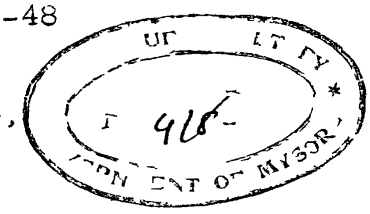
Please Call for 9 from his report from the Trust President

Ml91-47-31



Before the Minister for Education & Local Self Government (City Municipalities)

Appeal No of 47-48



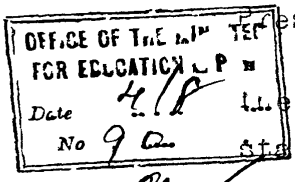
Appellant

B. Janardhan, c/o Exhibition Cafe, Irwin Road, Mysore

Vs

Respondent

President, City Municipal Council, Mysore



The appellant aboveramed most humbly begs to state as follows

1 That he is an established caterer and Hotel Keeper doing business in the City of Mysore He has considerable experience of running public hotels and has won the appreciation of many people for his efficient service

2 That the President, City Municipal Council, Mysore, by Notification No 491/46-47 of 30-5-47 invited tenders for running the Devaraja Market Restaurant for the year 1947-48 The last date for submitting tenders according to the Notification was 16-6-1947 The appellant submitted his sealed tender to the President, with the required earnest deposit When the tenders were opened, the offer of the appellant was found to be the highest, viz, Rs 117/- per month

P.t.o

The President, City Municipal Council, placed the tenders received in connection with the above, before the Managing Committee on 20-6-1947 where this appellant's tender, which was the highest, was accepted The offer of this appellant to run the Devaraja market Restaurant for the year 1947-48 being the highest was duly considered and was thus accepted. The other tenders including that of the previous lessee of the Devaraja Market Restaurant C Lakshminarayana Char, was rejected after the consideration It only remained for the President to communicate this final acceptance of his tender to the appellant

4 After the meeting the President, unauthorisedly and against the terms of the tender received an application from one P D Subramanya Iyer on or about 23 6 47 This application was recommended by the President, against the rules of procedure and principles of justice, this was placed before the members of the Managing committee by circulation The matter was as is learnt by this appellant, rejected by the members of the Managing committee, who were opposed to re-opening this transaction once the Managing committee had given its verdict on the matter and once the tender of this appellant was accepted The President, not content with this, convened a special meeting of the Managing committee on 1 7 47, before which date the President received another application

(Contd)

for re-consideration from the previous lessee of the Devaraja Market Restaurant Mr U Lakshminarayana Char the committee was asked to reconsider their decision against the Bye-laws and rules of the Municipality and the transaction was reopened and the contract of lease was granted to U Lakshmirarayana Char on a rental of Rs 140/- per month

5 No opportunity was afforded to this appellant to submit another offer and he was kept in the dark about the devolopments after the meeting of the Managing committee on 20th June 1947 the receipt of the application from Mr Subramanya Iyer and U Laksmirarayana Char is a serious breach of the terms of the Notification referred to above and of the general Law of contract Apart from this, this action of the President, City Municipal Council, is beyond his powers and has occasioned a serious loss to this appellant The appellant most humbly submits that if the records of this case are called from the Municipality and perused by the Honourable Minister, the injustice done to this appellant will be apparent

Wherefore the appellant most humbly prays that the Minister for Local Self Government, be pleased to call upon the President City Municipal Council, Mysore, to restore the grant of the lease of running the Devaraja Market Restaurant, to this appellant and to cancel the subsequent grant to Mr U Laksmirarayana Char, which is against law of justice In the meanwhile the appellant most

P.t.o

[illegible] Minister

[illegible]

B.[illegible]

[illegible]

[illegible]

[illegible]

1302

19/8/47

[illegible] Memo No. 1-2711 dt 18/8/47.

Forwarded with compliments to the President City Municipal Council Mysore from [illegible]

22/8/47

Pl. [illegible]

MYSORE CITY MUNICIPALITY

Notification No.491/46-47 dated 30th May 1947

Notice is hereby given that sealed tenders will be received at the office of the President, City Municipal Council, Mysore, up to 4 P M on 16th June 1947, for running a decent Brahmin Restaurant in the Devaraja market, Mysore City. The lease running for a period of one year from 1st July 1947

2 The tender shall include the rent for the Restaurant and the electric charges for lighting The successful tenderer should also pay the entire water charges separately for the water to be consumed for the restaurant

3 The tender must be accompanied by a duplicate challan for having credited into the Municipal Treasury an earnest money of Rs 100/-(one hundred only).

4 The final acceptance of the tender will rest with the President, City Municipal Council, Mysore, who does not bind himself to accept the highest or to any tender, or assign any reason whatever, for the rejection thereof.

5. When once the tender has been accepted, the rates will not be revised under any circumstances

6. On acceptance of one of the tenders, the earnest money of rejected tenders will be returned

7. The successful tenderer should pay two months rent in advance immediately and execute an Agreement in favour of the President, C M C Mysore, on a duly stamped paper for one year(from 1.7.47 to 30.6.48) and it should be got registered at the cost of the tenderer

8. Should the successful tenderer fail to comply with condition No.7, noted above, within a period of 7 days from the date of issue of notice in this behalf, the earnest money will be forfeited and he will be made liable for any loss sustained by the Municipality, in the event of not securing a bid amount equal to the amount offered by the defaulting tenderer

Sd/- R Ramachandra Rao Bombhore,
President, City Municipal
Council, Mysore

"True Copy"

Office of the President
City Municipal Council Mysore

No R.8-C.491/46-47
Encl one file as per postscript and Appl Petition

Date 11th September 1947

GEN & P.V SECRETARIAT
19 SEP 1947
1615
S G BRANCH

From

N S HIRANNAYYA Esq, M A,
President, City Municipal Council,
MYSORE

NUP SECRETARY
GOVERNMENT OF MYSORE

To

Syed Abdul Aleem Esq, B A,
Secretary to Government,
Revenue Department,
Bangalore

Sir,

With reference to your Memo No L 2711 dated 18-8-1947 forwarding for report, the appeal petition of Mr B Janardhan regarding the lease of hotel building in the Devaraja Market, I have the honour to forward herewith the entire file of papers ending with this Office No R 8 491/46-47 dated 24-7-1947 and to state as follows -

The lease of the building in which the hotel is kept in the Market was being renewed every year as in the case of other shops At the time of the Budget Meeting held by the Managing Committee on 15-5-1947 it was decided that the lease of the above building may be disposed by calling for tenders, so as to secure some more revenue in the shape of rent, as the tenent of the building was paying only a small rent of Rs 41/= per month for the last many years Accordingly, tenders were called for The appellant was one of the tenderers offering Rs117/= per month as rent One of the tenderers-- Mr P D Subramanya Iyer had mentioned in his tender that if there was any other offer more than Rs75/- tendered by him, he was prepared to pay Rs5/= more than the rent offered No doubt, the President City Municipal Council, is the final authority to accept or reject any tender as per condition No 2 of the Tender Notification But, as the tender offered by Mr Subrahmanya Iyer was a conditional one and as the matter involved the question of finance, it was thought that it would be better if the matter is brought to the notice of the Managing Committee The tenders were therefore placed before the Managing Committee held on 20-6-1947 and the tender of the appellant-- Mr- B Janardhan for

for R 117/= was accepted By the time of giving effect to the decision of the Managing Committee, another petition dated 23-6-1947 was received from Mr P D Subrahmanya Iyer stating that, he would pay the rent at Rs130/= per mensem and that he will run the hotel on the lines of Health Kitchen etc , On the other side the ex-tenant Mr Lakshminarayanachar who was running his business continuously in the said buildings for the last 5 years, submitted a number of appeal pettitions representing that he is agreeable to pay any rent fixed by the Municipality, that he will have to sustain heavy loss if he is not permitted to continue his business in the above building since he has spent a large sum for effecting improvements to the building and that, in case his prayer is not granted he may be permitted to open a new hotel in his house etc , After a careful consideration of all these aspects, the whole matter was placed before the special Managing Committee held on 1-7-1947 The proceedings of the Managing Committee dated 1-7-1947 is exhaustive and as decided by the Committee, the lease was restored to the old tenant Mr Lakshminarayanachar himself on condition that the lease is for one year only on a monthly rent of Rs140/=, that he should run the restaurant on the lines of Health Kitchen according to the instructions that may be given to him by the Municipality from time to time and that if he refuses to have the lease, it may be given to Mr Subrahmanya Iyer on the same terms Against this order the appellant has preferred his appeal The main contention of the appellant is that the Municipality was not correct in re-opening the subject matter once finally disposed of by the competent authority In this connection it may be stated here that the condition No 2 of the tender notification is clear and it empowers the President to accept or reject any tender without assigning any reason therefor Though the President was the final authority to accept or reject the tender, the fact that the matter was referred to the Managing Committee was in the int-

erest of Municipal revenue and this fact has been clearly explained in the proceedings of the Special Managing Committee held on 1-7-1947

I have the honour to be,
Sir,
Your most obedient servant,

President.

nsm

To. L 10162
8/10/47

The President, City Municipal
Mysore

Petition from Mr PS Gunardhan.
regarding the lease of the hotel
standing in the Devaraja market-
Mysore

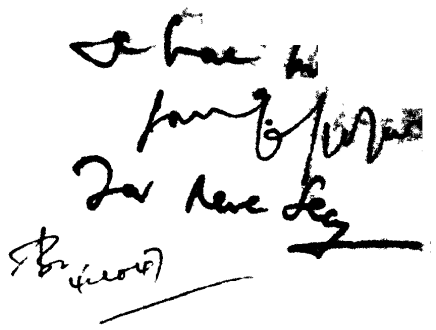
Sir,

I am directed to return herewith
the Municipal Office file on the
above subject received with your
letter no R & C 491 dated 11-9-47
Sir, Receipt may be kindly

No 855
Date 20-10-1948

C. Rules & Forms

Asst



C F 74]

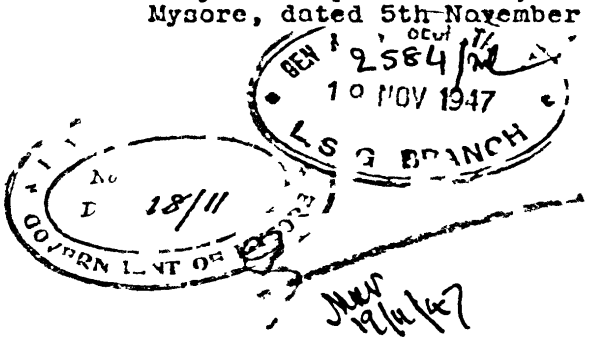
VD 0773—GPS—100 pads of 10,000 sheets each—23-10-42

Routine Notes

[To be used only for notes, requisitions, etc. not intended for permanent record]

No RS C491/46-47

Office of the President,
City Municipal Council,
Mysore, dated 5th November 1947.



To,

The Secretary to the
Govt, of Mysore,
BANGALORE

Sir,

I have the honour to acknowledge the receipt of your letter No L.10162 dated 8-10-47 together with the file relating to the lease of Hotel Building, in Devaraja Market, Mysore

I have the honour to be
Sir,
Your most obedient Servant,

For PRESIDENT

C F 74]

WD 0973—GPS—100 pads of 10 000 sheets each—23 10-42

Routine Notes

[To be used only for notes, requisitions, etc , not intended for permanent record]

3578

55 8/1

॥ ಶ್ರೀರಾಮ ॥

THE MINISTER FOR CITY MUNICIPALITIES AND MUZRAI
No T 306
10-1-48
ದಾ॥ 11th Dec. 47

4065
15 JAN 1948

ಬಿ. ಜನಾರ್ದನ್
Asst. Manager &
Cashier, Exhibition
Cafe, Mysore

21/1/48

To

The Minister for City Municipalities
& Muzrai in Mysore,
BANGALORE.

Sir,

17/1/48

Subject: Contract to run the Devaraja Market Restaurant, Mysore

---

I beg to invite your kind reference to my representation dated 2/8/47 addressed to the Minister for Local Self Govt , & Education in Mysore, Bangalore and subsequent one addressed to your honour dated 5th Nov 47 on the subject and pray for an early disposal of my long pending case since great injustice has been done to me and am put to heavy loss unnecessarily

I pray for an endorsement of your kind orders per return in the matter

I beg to remain, Sir,
Yours obediently,
B ಜನಾರ್ದನ್

Revenue Secretary — for early report on the petition & action taken on the petition which seems to be long-pending

11/1/48

The file has been submitted to the Minister for City Municipalities on 8-1-48. W/ to D/ No 3578

3578/19/1

Rev Secy) 19/1/48

N B —Should routine notes be written on small slips the notes must be copied or slips pasted on this form

THE MINISTER FOR CITY MUNICIPALITIES AND MUZRAI
No 833
Date 20-1-1948

17/1 P.M. 17-1-48

Minister for C. Mnls & Muz

20/1/48

C F 74]

Routine Notes

[To be used only for notes, requisitions, etc , not intended for permanent record]

N B —Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form

L 14257/ ML 91-47-32

Endorsement granted to 2/3/..

3 copies

Thiru B. Janardhan
C/o the Exhibition Cafe
Irwin Road - Mysore

In reply to his petition dated 28-2-47 addressed to Government regarding the lease of the hotel building # in the Devaraja Market - Mysore - by the City Municipal Council, he is informed that the Government see no reason to interfere in the matter [as condition no 2 of the tender notification, in question empowers the President - Mysore City Municipal Council to accept or reject any tender without assigning any reason therefor]

many portions be deleted

By Order
for Revenue Secy

Memo No L 14258 2/3/48

Copy w-c to the President, City Municipal Council, Mysore for information, with reference to his letter No A & C 91/46-47 dt 11-9-47

By Regd post

The Municipal Office is herewith returned

Rs 19-2-48

By Order
for Revenue Secy

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat,

No L 14257/Rev 91-47-3 *Dated, Bangalore,* Febry. 2/3/48 *194* 8

ENDORSEMENT

Granted to Mr.B.Janardhan, C/O, The Exhibition Cafe, Irwin Road, MYSORE.

In reply to his appeal petition dated 2-8-1947 addressed to Government, regarding the lease of the hotel building in the Devaraja Market, Mysore, by the City Municipal Council, he is informed that the Government see no reason to interfere in the matter.

By Order,

(Sd) Syed Abdul Aleem,

Revenue Secretary to Government.

MEMO NO L 14258

Bangalore, Dated, the 2/3/48 February 1948.

Copy of the above, is forwarded, with compliments, to the President, City Municipal Council, Mysore, for information, with reference to his letter No.R8.C.491/46-47 dated 11-9-1947.

The Municipal Office file is herewith returned.

By Order,

Revenue Secretary to Government.